

**Governor's Office of Rural Broadband  
FY21 Broadband Grant Programs  
Notice of Proposed Funding Areas and Statement of Existing Service Area**

The Office of Rural Broadband (Office) has accepted funding applications for projects that will provide broadband service to unserved, rural areas. In an effort to ensure that our limited funding is directed to unserved areas (areas lacking 25Mbps downstream and 3Mbps upstream service with a maximum 50ms latency), we are requesting that incumbent Internet Service Providers (ISP) provide information on the limits of their service areas as they relate to the areas of funding requests. The information provided will be considered a challenge to the unserved claim made by the applicant. On our website at <https://dhcd.maryland.gov/RuralBroadband>, we have provided a listing of jurisdictions and geographic areas where project funding applications have been received.

In order to be considered a valid challenge, the ISP must have been providing broadband service (25Mbps downstream and 3Mbps upstream service with a maximum 50ms latency) to at least 10% of the application area on or before January 31, 2021.

Any ISP wishing to submit their service area information must provide the information required below no later than 5:00 p.m. eastern prevailing time on March 26, 2021. ISP's may submit their information via USPS, common carrier or email to [rural.broadband@maryland.gov](mailto:rural.broadband@maryland.gov). Applicants will be notified if their proposed project area is being impacted. Applicants will have 10 business days from said notification to provide any additional information to the Office in defense of their unserved claim.

**ISP's choosing to provide service area information must provide a copy of this notice with the signed certification with the following attached:**

1. Sub-Area being challenged;
2. Their current Federal Communications Commission (FCC) Form 477 data or equivalent;
3. The minimum/maximum speeds provided by their company in the geographic project area;
4. The number of premises to which they provide the stated speed within peak usage interval; and
5. Street level data of actual customers receiving service within the geographic project area including the speeds those customers are able to receive.

Planned service to the geographic project area will not demonstrate service for the purpose of a challenge unless State or Federal funds have actually been awarded and the provider has committed to providing service to the area using these State or Federal funds. If an application for funding has been submitted, but conditions for receipt of funding have not been met or approved (e.g. FCC RDOF long form approval), the funding is not considered to be awarded for purposes of this notice. In the case of Federal Funding, the incumbent ISP must provide a copy of an award letter or other documentation from the funding agency as proof of funding commitment to serve the project area.

The Office must receive all of the information referenced above or the claim of service will be deemed invalid. The Office will evaluate claims of service that are submitted with all of the information referenced above and determine if the incumbent ISP demonstrated that more than 10 percent of premises in a proposed project area are serviceable at speeds above 25 Mbps upstream and 3 Mbps downstream as of January 31, 2021.

Claims of service can be made to portions of the proposed project areas without invalidating the entire project. The Office reserves the right to only invalidate a portion(s) of a proposed project area.

Requested areas of funding have been separated into County Jurisdictions. Separate claims of service should be submitted for each area within a jurisdiction.

Applications will remain in consideration until respective evaluations have been completed.

Incumbent ISP's are strongly encouraged to submit third-party verified speed tests of challenged project areas for technologies that can have variable speeds. Speed test results from Ookla, DSL Reports, Speakeasy or any similar independent testing group are considered third party verified speed tests.

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### CERTIFICATION

I hereby certify that to the best of my knowledge and belief, the information provided as part of this challenge is true and correct. I understand that this information may be provided to others so they may review and comment on it and that there is no guarantee of confidentiality regarding the submittal.

\_\_\_\_\_  
*Signed*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Typed Name*

\_\_\_\_\_  
*Title*